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"RESPONSE UNDER 37 CFR 1.116-
EXPEDITED PROCEDURE EXAMINING
GROUP 1615"

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
HITOO NISHINO, ET AL. : EXAMINER: KISHORE, G.
SERIAL NO: 09/556,701 :
FILED: APRIL 24, 2000 : GROUP ART UNIT: 1615
FOR: PHARMACEUTICAL OR FOOD :
COMPOSITION FOR TREATMENT OR
PREVENTION OF BRAIN EDEMA

REQUEST FOR RECONSIDERATION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated December 2, 2002, Applicants request reconsideration of the above-identified application in view of the executed Rule 132 Declaration of Dr. Kunio Torii submitted herewith and the following remarks.

Applicants note that the submission of the Declaration is timely because the Examiner cited U.S. 5,137,871, 5,520,912, and 4,687,763 for the first time in the present application in the Official Action dated December 2, 2002. See MPEP p. 700-236, second column, 8th Edition revised February 2003.

Remarks/Arguments begin on page 2 of this paper.